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HIGH COURT OF CHHATTISGARH AT BILASPUR

S.B. : HON'BLE MR. SATISH K. AGNIHOTRI, J.

WRIT PETITION (S) No. 5016 of 2005

PETITIONER

Ahmad Hussain S/o Mohammad Hussain,
Sanganak, Community Health Centre, R/o.
C.M.O. Campus, Korba, District Korba C.G.

VERSUS

RESPONDENTS

1. State of Chhattisgarh through Secretary,
Health Department, Mantralaya, D.K.S.
Bhawan, Raipur.
2. Director, Health Services, Government
of Chhattisgarh, Raipur.
3. Collector, Korba.
4. Chief Medical Officer, Korba, District
Korba C.G.

Present: None for the petitioner
Shri Sushil Dubey, Government Advocate for the
State/respondents.

ORDER

(Passed on 9th April, 2007)

1. The petitioner, in this petition has challenged the validity of the order dated 01.08.2002 whereunder, the petitioner was placed under suspension and his Head Quarter was changed from Korba to Karghora, within the same District.
2. The Madhya Pradesh Administrative Tribunal at Raipur, vide order dated 09.08.2002, declined to interfere with the suspension order. However, on the issue of transfer of Head Quarter, stay was granted. By virtue of the interim stay, the petitioner is continuing at the original place of posting.

3. Be that as it may, with the passage of time this petition has become infructuous as period of transfer is not applicable forever. At this point of time, there is no question to examine the validity of the transfer order. However, the respondents are at liberty to pass appropriate orders keeping in view the public interest and administrative exigency, without insisting on compliance of the impugned transfer order.
4. In view of the above, this petition stands disposed of. No order as to costs.

Sd/-
Satish K. Agnihotri
Judge